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7 UNITED STATES OF AMERICA,
8 Plaintiff,
9 v.
10 MAGGAY,
11 Defendant.

Case No. 19-cr-00468-JST-1

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13 **ORDER TO SHOW CAUSE**

14 Re: ECF No. 41

15 Defendant Roderick Maggay, a federal prisoner, has filed a motion under 28 U.S.C. § 2255
16 to vacate, set aside, or correct a sentence by a person in federal custody. ECF No. 41. Because
17 the “files and records of the case” do not “conclusively show that the prisoner is entitled to no
18 relief,” the Government must show cause why relief should not be granted. 28 U.S.C. § 2255(b).

19 Accordingly, it is hereby ORDERED that on or before December 1, 2023, the Government
20 shall file and serve an answer showing cause why this Court should not issue a writ of habeas
21 corpus. The Government’s answer shall conform in all respects to Rule 5 of the Rules Governing
22 Section 2255 cases. Additionally, the Government shall file and serve with its answer a copy of
23 all portions of the administrative record that have been transcribed previously and that are relevant
24 to a determination of the issues presented by the motion. The Government may also expand the
25 record, where appropriate, under Rule 7.

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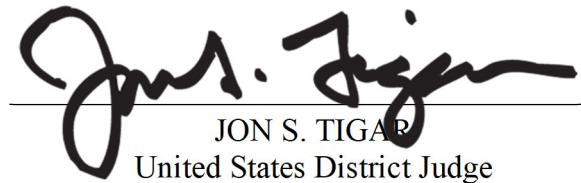
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1 It is FURTHER ORDERED that if Defendant wishes to respond to the answer, he shall
2 do so by filing a reply with the Court on or before January 2, 2024.

3 **IT IS SO ORDERED.**

4 Dated: September 29, 2023



JON S. TIGAR
United States District Judge

United States District Court
Northern District of California

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